



Proposed Plan Change 120: Housing Intensification and Resilience (PC120)

to the Auckland Unitary Plan (Operative in part)

**SECTION 32 AND SCHEDULE 3C OF THE RESOURCE MANAGEMENT ACT
1991 FOR QUALIFYING MATTER:**

STRATEGIC TRANSPORT CORRIDOR ZONES

EVALUATION REPORT

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Executive Summary

1. This draft report discusses the implications of applying the 'Strategic Transport Corridor Zone' (**STCZ**) in the Auckland Unitary Plan (Operative in Part) (**AUP**), as an existing qualifying matter to modify the requirements of Schedule 3C Clauses 4(1)(b) and (c) of the Resource Management Act 1991 (**RMA**) and Policy 3 of the National Policy Statement on Urban Development 2020 – Updated 2022 (**NPS-UD**) in any zone in an urban environment to be less enabling of development.
2. The purpose of Chapter H22 STCZ in the AUP is to provide for the development and use of Auckland's state highways and rail corridors and the activities associated with the transportation of people and goods. The STCZ is identified as light grey in the AUP maps and only applies to state highways and railway corridors.
3. Most of the land zoned STCZ is also subject to designations by KiwiRail Holdings Limited (**KiwiRail**) and the New Zealand Transport Agency Waka Kotahi (**NZTA**) in Chapter K Designations of the AUP. Each of the requiring authority's designations are shown spatially with the designation number in the schedule and identification of the designation boundary (outlined in brown).
4. There is a none to minor impact of the STCZ on the level of development enabled by Schedule 3C cls.4(1)(b) or (c) of Schedule 3C of the RMA and the implementation of Policy 3 of the NPS-UD. The STCZ only applies to state highway and railway corridors. Development is limited to buildings used for transportation purposes and/or interim non-transport related activities that do not undermine the future use of the corridor for transport purposes.

1. Introduction

5. This report is prepared as part of the evaluation required by Section 32 and Schedule 3C of the RMA for PC120 to the AUP.
6. The background to and objectives of PC120 are discussed in the overview report, as is the purpose and required content of section 32 and Schedule 3C evaluations.
7. This report discusses the implications of applying the STCZ as a qualifying matter to the requirements of clause 4(1)(b) or (c) of Schedule 3C of the RMA and the implementation of Policy 3 of the NPS-UD. This report also evaluates the provisions which have been included in PC120 relating to the STCZ' qualifying matter.
8. The Council may make the relevant building height or density requirements of clause 4(1)(b) or (c) of Schedule 3C of the RMA and Policy 3 of the NPS-UD less enabling of development in relation to an area within 'in any zone in an urban environment' only to the extent necessary to accommodate 1 or more of the following qualifying matters present:
 - (a) a matter listed in section 77I(a) to (i);
 - (b) any other matter that makes higher density, as specified by clause 4(1)(b) or (c) of Schedule 3C of the RMA or Policy 3 of the NPS-UD, inappropriate in an area but only if subclause (4) of clause 8 of Schedule 3C is satisfied.
9. Under clause 8(2) of Schedule 3C of the RMA, the evaluation report required under section 32 of the RMA must in relation to a proposed amendment to accommodate a qualifying matter under subclause (1)(a) or (1)(b) of clause 8:
 - (a) demonstrate why the Council considers:
 - (ii) that the area is subject to a qualifying matter; and
 - (iii) that the qualifying matter is incompatible with the level of development provided by clause 4(1)(b) or (c) or policy 3 for that area; and
 - (b) assess the impact that limiting development capacity, building height or density (as relevant) will have on the provision of development capacity; and
 - (c) assess the costs and broader impacts of imposing those limits.
10. Under clause 8(4) of Schedule 3C of the RMA, the evaluation report required under section 32 of the RMA must, in relation to a proposed amendment to accommodate a qualifying matter under subclause (1)(b) (an "other" qualifying matter), also:
 - (a) identify the specific characteristic that makes the level of development specified by clause 4(1)(b) or (c) or policy 3 inappropriate in the area; and
 - (b) justify why that characteristic makes that level of development inappropriate in light of the national significance of urban development and the objectives of the NPS-UD; and
 - (c) include a site-specific analysis that—

- (i) identifies the site to which the matter relates; and
- (ii) evaluates the specific characteristic on a site-specific basis to determine the geographic area where intensification needs to be compatible with the specific matter; and
- (iii) evaluates an appropriate range of options to achieve the greatest heights and densities specified by clause 4(1)(b) or (c) or policy 3 while managing the specific characteristics.

11. Auckland Council may, under clause 8(5) of Schedule 3C of the RMA, when considering existing qualifying matters¹, instead of undertaking the evaluation process described in clause 8(2), do all of the following things:

- (a) identify by location (for example, by mapping) where an existing qualifying matter applies;
- (b) specify the alternative heights or densities (as relevant) proposed for those areas identified under paragraph (a);
- (c) include in the evaluation report why the Council considers that 1 or more existing qualifying matters apply to those areas identified under paragraph (a);
- (d) describe in general terms for a typical site in those areas identified under paragraph (a) the level of development that would be prevented by accommodating the qualifying matter, in comparison with the level of development that would have been provided by clause 4(1)(b) or (c) or Policy 3;
- (e) notify the existing qualifying matters in the Auckland housing planning instrument.

2. Integrated evaluation for existing qualifying matters

12. For the purposes of PC120, evaluation of the STCZ as a qualifying matter has been undertaken in an integrated way that combines section 32 and Schedule 3C of the RMA requirements. The report follows the evaluation approach described in the table below.

13. The preparation of this report has involved the following:

- a review of AUP processes including Independent Hearing Panel hearing evidence and recommendations for Topics 0423 and 044 Transport
- a review of Chapter H22 – Strategic Transport Corridor in the AUP
- review of the AUP to identify all relevant provisions that require a consequential amendment to integrate the application of this qualifying matter
- review of the AUP Maps to assess the spatial application of this qualifying matter
- section 32 options analysis for this qualifying matter and related amendments
- consideration of the planning evidence for Topic 009M STCZ in relation to the Business City Centre Outstanding Matters topic hearing.

14. The scale and significance of the issues is assessed to be none to minor.

¹ Clause 8(1)(6) existing qualifying matter means a qualifying matter referred to in subclause 1(a) that is operative in the Auckland Unitary Plan when the Auckland housing planning instrument is notified.

15. This section 32/Schedule 3C evaluation report will continue to be refined in response to any consultation feedback provided to the council, and in response to any new information received.

Table 1 Integrated approach for any matter specified in section 77I(a) to (i) that is operative in the AUP when the Auckland housing planning instrument (PC120) is notified)

Standard sec 32 steps	Plus clause 8 Schedule 3C steps for an existing qualifying matters
Issue Define the problem- provide overview/summary providing an analysis of the qualifying matter	Identify whether an area is subject to an existing qualifying matter (a qualifying matter referred to in clause 8(1)(a) of Schedule 3C of the RMA that is operative in the AUP when the Auckland housing planning instrument (PC120) is notified) and describe the existing qualifying matter. Identify by location (for example, by mapping) where an existing qualifying matter applies. [refer to Section 3 of this report]
Identify and discuss objectives / outcomes	Identify relevant RPS / district level objectives and policies. Specify the alternative heights or densities (as relevant) proposed for those the area where the existing qualifying matter applies. [refer to Section 4 of this report]
Identify and screen response options	Consider a range of reasonably practicable options for achieving the objectives including alternative standards or methods for these areas having considered the particular requirements in clause 4(1)(b) or (c) of Schedule 3C of the RMA and/or Policy 3 of the NPS-UD and assess the efficiency and effectiveness of the provisions. [refer to Section 5 of this report]
Collect information on the selected option(s)	Describe in general terms for a typical site in those areas subject to an existing qualifying matter the level of development that would be prevented by accommodating the qualifying matter, in comparison with the level of development that would have been provided by clause 4(1)(b) or (c) of the RMA or Policy 3 of the NPS-UD. [refer to Section 5 of this report]
Evaluate option(s) - environmental, social, economic, cultural benefits and costs	Provide an assessment of the benefits and costs of the options in the light of the new objectives introduced by the NPS-UD relating to well-functioning urban environments.

	[refer to Section 5 of this report]
Overall judgement as to the better option (taking into account risks of acting or not acting)	Conclusion as to the implications of the qualifying matter for development capacity to be enabled by NPS-UD in the areas where the qualifying matter applies. [refer to Section 5 of this report]

3. Issues

16. The qualifying matter being evaluated is the STCZ. The state highway and railway corridors have been identified as a specific qualifying matter under the following sections of the RMA:

- (a) Schedule 3C, cl.8(1)(a) – a matter specified in section 77I(a) to (i):
 - i. Section 77I(e) – a matter required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure. The definition of ‘nationally significant infrastructure’ in the NPS-UD (a) state highways and (h) the New Zealand rail network (including light rail).

Overview of the qualifying matter

17. The purpose of the STCZ is to provide for Auckland’s state highways and rail corridors to be:
- developed and used for a wide range of activities associated with the transportation of people and goods
 - used as a single, integrated transport system operated by more than one agency
 - used for the interim non-transport related activities that do not undermine the future use of the corridor for transport purposes.
18. The STCZ provides the flexibility needed for the development of the state highway and railway corridors and for a wide range of activities for transporting people and goods. The zone also provides certainty as to the activities that can be undertaken and assists in planning and investment across transport modes.
19. The STCZ is applied to land that contains strategic infrastructure, or where a designation provides for such infrastructure. Most of the zone is subject to designations by KiwiRail and NZTA in Chapter K Designations. Designations remain the primary means of managing and operating Auckland’s state highway and railway corridors. In general terms, the activities carried out under these designations are restricted to the core activities associated with the individual requiring authorities i.e. in accordance with the purpose and conditions of each designation.

20. By applying the STCZ to these corridors, provisions can be put in place to facilitate the integrated use of the corridors as a single transport network and provide more certainty around services and activities. In some circumstances, such as staged land acquisition for long-term projects or, where space allows, using the land for non-transport activities may be appropriate. The zone provisions will provide for these activities while ensuring the corridor's primary transport function is enabled.

Location of qualifying matter

21. The location of the STCZ is aligned with the state highway and railway corridors, extending from south to north, and west to east in the Auckland region.
22. In relation to PC120, the STCZ qualifying matter applies to areas of Auckland which are subject to the requirements of Schedule 3C cls.4(1)(b) and 4(1)(c) of the RMA and Policy 3 of the NPS-UD. This includes the walkable catchments related to the bus stations on the Northern Busway Corridor (which are located on and adjacent to State Highway 1) and the train stations on the Southern, Eastern, Western, and Onehunga railway corridor lines. The operative provisions of Chapter H22 STCZ will continue to apply to areas within the urban environment that are not subject to these two clauses and/or policy.
23. The qualifying matter is incompatible with the level of development provided by clause 4(1)(b) or (c) of Schedule 3C and Policy 3 of the NPS-UD because of the nature of the management of STCZ which is required to:
- (a) ensure the safe, efficient, and secure infrastructure for the transportation of people and goods in an integrated manner
 - (b) provide for the interim development and use of land within the STCZ for non-transport related activities without undermining the future use of the corridors for transport purposes
 - (c) provide for the operation, maintenance, repair, upgrades, and renewals of existing infrastructure.
24. Increasing the density and heights within the areas of the STCZ subject to the qualifying matter could increase the potential risk from reverse sensitivity effects on the health and safety of persons and communities residing within the vicinity of the state highway and railway corridors. It may also constrain the operations of the requiring authorities to be able to ensure the safe, efficient, and secure infrastructure for the transport of people and goods.
25. It is also recognised that there is the potential for an unintended reverse sensitivity issue. This could be noise and vibration, arising from the development of land adjacent to the STCZ which itself may be subject to the enabling requirements of Schedule 3C cls.4(1)(b) or (c) of the RMA and Policy 3 of the NPS-UD. This was an issue raised by KiwiRail in its submission and evidence for the PC78 hearings relating to the City Centre and Metropolitan Centre zones.

4. AUP approach to managing qualifying matter

26. The management approach in the AUP, in recognising and providing for the STCZ includes:
- objectives, policies, and rules in Chapter B Infrastructure (**RPS**) and Chapter E26 Infrastructure
 - designations identified in AUP maps and Chapter K: Designations and Schedules for KiwiRail's and NZTA's state highway and rail infrastructure.
27. This provides the framework for the relevant objectives and policies and rules and methods described in the sub-sections below.
28. This approach in the AUP was extensively addressed through the Proposed AUP hearings process in 2014 – 2016.
29. This approach has also been tested through PC78 in relation to the City Centre and Outstanding Matters topic hearings. The Independent Hearings Panel (**IHP**) recommendation endorsed and adopted the Council's section 32 evaluation and recommended the retention of the STCZ as a qualifying matter. Auckland Council's decision accepted the IHP's recommendation and this qualifying matter is operative in the AUP in relation to the City Centre.

Objectives and Policies (existing)

30. The relevant AUP objectives and policies, that support the STCZ qualifying matter are as shown below in the table:

Table 1: Objectives and Policies relevant to the STCZ qualifying matter.

AUP Chapter	Objective/Policy	Summary of matter addressed
B3 Infrastructure - Ngā pūnaha hanganga, kawekawe me ngā pūngao - Infrastructure, transport and energy [rps]	Objective B.3.2.1(1)	Infrastructure is resilient, effective and efficient
	Objective B.3.2.1(2)	The benefits of infrastructure are recognised
	Objective B3.2.1(3)	Development, operation, maintenance, and upgrading of infrastructure is enabled, while managing adverse effects.
	Objective B3.2.1(4)	The functional and operational needs of infrastructure are recognised.
	Objective B3.2.1(6)	Infrastructure is protected from reverse sensitivity effects
E26 Infrastructure [rp/dp]	Objective E26.2.1(1) Policy E26.2.2(1)	The benefits of infrastructure are recognised
	Objective E26.2.1(2) Policy E26.2.2(1)	The value of investment in infrastructure is recognised

	Objective E26.2.1(3)	Safe, efficient and secure infrastructure is enabled to service needs of existing and authorised proposed subdivision, use and development
	Objective E26.2.1(4) Policy E26.2.2(2)	Development, operation, maintenance, repair, replacement, renewal, upgrading and removal of infrastructure is enabled
	Objective E26.2.1(5)	The resilience of infrastructure is improved and continuity of service is enabled
	Objective E26.2.1(6) Policy E26.2.2(3)	Infrastructure is appropriately protected from incompatible subdivision, use and development, and reverse sensitivity effects
	Objective E26.2.1(9) Policies E26.2.2(4)-(10)	The adverse effects of infrastructure are avoided, remedied or mitigated
Chapter H – Strategic Transport Corridor Zone	Objective H22.2(1) Policies H22.3(1) and (2)	Railway and state highway corridors are used safely, effectively and efficiently for the transportation of people and goods in an integrated manner
	Objective H22.2(2) and (4) Policy H22.3(3)	Land identified for railway and state highway corridors can be developed and used for non-transport related activities without undermining the future use of the corridor for transport purposes where: • buildings and other structures are of a scale and design that is compatible with surrounding land uses • the non-transport activity will not give rise to reverse sensitivity effects that would undermine transport activities in the zone • non-transport related activities do not prevent the land

		reverting to a transport use when required effects from non-transport related activities on the adjoining land are managed.
	Objective H22.2(3) Policy H22.2(4)	Potential effects of the location and design of noise mitigation measures on adjacent development are managed.
Chapter K – Designations	N/A	NZTA KiwiRail (as per Chapter K Designations and Schedules).

31. The management approach in the AUP, to provide for the SCTZ, includes through:

- a. provisions in Chapter H Strategic Transport Zone of the AUP
- b. identification of designations for state highways and railway corridors in the AUP maps and in Chapter K of the AUP
- c. provisions in E26 Infrastructure in relation to activities for development and use for infrastructure including the road network.

32. The objectives and policies of Chapter H22 of the AUP seek to ensure that:

- a. the railway and state highway corridors are used safely, effectively, and efficiently for the transportation of people and goods in an integrated manner
- b. land identified for railway and state highway corridors can be developed and used for non-transport related activities without undermining the future use of the corridor for transport purposes
- c. potential effects of the location and design of noise mitigation measures on adjacent development are managed
- d. any non-transport related activities do not generate adverse reverse sensitivity effects on the operation of the corridor.

33. The objectives and policies of Chapter E26 Infrastructure in the AUP:

- a. recognise the benefits of, and the value of investment in, infrastructure and provides for the activities associated with the roading network
- b. provide for the avoidance of adverse effects on infrastructure from subdivision, use, and development, including reverse sensitivity effects, which may compromise the operation and capacity of existing, consented and planned infrastructure

- c. require that the adverse effects of infrastructure are avoided, remedied or mitigated, including:
 - i. the health, well-being, and safety of people and communities
 - ii. the safe and efficient operation of other infrastructure.
- 34. Designations provide for the construction, operation, maintenance, repair, upgrades, and renewals of the state highway and railway corridors in accordance with the purpose and any conditions attached to the designation. There are also normally conditions which mitigate environmental effects associated with construction and operation. Designations also impose a statutory restriction on third party use of the land affected by a designation.

Rules and methods (existing)

- 35. The activity statuses and standards of Chapter H22 in the AUP provide for the land use and development activities within the STCZ. The following activities in Table H22.4.1 are permitted activities within the STCZ:
 - a. construction, maintenance, upgrade and use of cycleways and walkways
 - b. landscaping and artworks
 - c. operation, maintenance of roads, railways and transport equipment
 - d. temporary activities associated with transport activities including temporary materials and machinery storage, temporary ablution facilities and temporary buildings
 - e. new buildings and additions/alterations to existing buildings associated with transport activities and transport storage yards: (a) within 50 metres of a site zoned residential; and (b) up to 10 metres in height (otherwise this becomes a restricted discretionary activity)
 - f. new buildings and additions/alterations to existing buildings associated with transport activities and transport storage yards: (a) located more than 50 metres of a site zoned residential; and (b) up to 20 metres in height (otherwise restricted discretionary activity)
 - g. noise attenuation walls or fences (otherwise this becomes a restricted discretionary where it does not comply with the relevant standard)
 - h. any other activity not otherwise listed in H22.4 Activity Table, and provided for within an adjoining zone as a permitted activity.
- 36. Other activities provided for in Table H22.4.1 include bus depots (discretionary activity) and park-and-rides (restricted discretionary activity).
- 37. All permitted, controlled, and discretionary activities listed in H22.4 Activity Table must comply with the following standards:
 - a. *H22.6.1 Yards* – requires a 5 metre yard for new buildings and additions associated with transport activities and transport storage yards where they directly adjoin a residential zone.
 - b. *H22.6.2 Height in relation to boundary* – requires that buildings must not exceed of height of 3 metres measured vertically above ground level at side

and rear boundaries that adjoin a site in a residential zone. And after that, buildings must be set back 1 metre for every additional metre in height (45 degrees)

- c. *H22.6.3 Screening* – requires yards for buildings and transport storage yards to be landscape or screened with a 1.8 metre high solid wall. And landscaping must comprise of trees and shrubs, be a minimum width of 2 metres, and be maintained as a visual screen during all seasons
- d. *H22.6.4 Noise attenuation walls or fences* – requires that walls or fences must comply with height in relation to boundary rules of the Residential-Single House Zone except that a section may project beyond the recession plane if:
 - (i) the wall or fence has maximum height of 3 metres; max. length at 2 metres in height is less than or equal to 5 metres long; and no more than three such projections in 100 metres length of wall or fence.

38. Chapter K Designations, and the requiring authority's designations and any conditions attached to those designations, is the main method in the AUP to provide for the protection, and management of land within the boundary of the designations for the state highways and railway corridor. Designations are also identified as an existing qualifying matter in accordance with Schedule 3C cls.8(1)(a) and section 77I(g) of the RMA.

39. Infrastructure is also provided for on the basis of Auckland-wide provisions through Chapter E26 Infrastructure of the AUP. Additional infrastructure provisions (zones, overlays and precincts) within the AUP may also be applicable.

40. Chapter H22 STCZ and Chapter K Designations in the AUP are appropriate methods to manage land use and development, within the STCZ, as the provisions and designations:

- a. provide for the development, operation, maintenance, repair, upgrade, and removal of infrastructure
- b. manage the adverse effect on infrastructure, including reverse sensitivity effects
- c. manage the adverse effects of infrastructure on adjacent land uses
- d. protect the land for the purpose of the designation by requiring landowners of land subject to a designation to seek approvals from a requiring authority for any activities that may hinder the requiring authority from undertaking its works to which the designation relates
- e. enable requiring authorities to undertake works, projects, and ongoing operation, maintenance, and upgrades to their infrastructure.

Amendments required to AUP objectives, policies and rules

41. No amendments are required to the AUP objectives, policies, or rules in response to Schedule 3C cls.4(1)(b) or (c) of the RMA or Policy 3 of the NPS-UD. However, Chapter H22 STCZ has been marked up to identify that it is an existing qualifying matter where it is

located on land zoned STCZ which is subject to the requirements of Schedule 3C cls.4(1)(b) or (c) of the RMA and Policy 3 of the NPS-UD. The markups proposed are as follows:

H22 Strategic Transport Corridor Zone

The Strategic Transport Corridor Zone has been identified as a qualifying matter in accordance with Schedule 3C cls.8(1)(a) of the Resource Management Act 1991.

...

H22.4 Activity Table

...

Development		
(A1)	New buildings and additions or alterations to existing buildings associated with transport activities and transport storage yards: (a) within 50m of a site in a residential zone; and (b) up to 10m in height	P
(A2)	New buildings and additions or alterations to existing buildings associated with transport activities and transport storage yards: (a) within 50m of a site in a residential zone; and (b) greater than 10m in height.	RD
(A3)	New buildings and additions or alterations to existing buildings associated with transport activities and transport storage yards: (a) located more than 50m from a site in a residential zone; and (b) up to 20m in height	P
(A4)	New buildings and additions or alterations to existing buildings associated with transport activities and transport storage yards: (a) located more than 50m from a site in a residential zone; and (b) greater than 20m in height	RD

Qualifying matter as per Schedule 3C cls.8(1)(a) of the RMA

Qualifying matter as per Schedule 3C cls.8(1)(a) of the RMA

...

H22.6.2 Height in relation to boundary.

- (1) Buildings must not exceed a height of 3 metres measured vertically above ground level at side and rear boundaries that adjoin a site in a residential zone. Thereafter, buildings must be set back 1 metre for every additional metre in height (45 degrees).

Qualifying matter as per Schedule 3C cls.8(1)(a) of the RMA

...

42. Minor amendments to Chapter K and Chapter E26 are also recommended to identify that some designations are existing qualifying matters. The amendments are shown below:

Chapter K – Using Chapter K

...

Some designations in the urban environment within ~~relevant residential zones or urban non-residential zones~~ the Business – City Centre Zone are qualifying matters in accordance with sections ~~77I(g) and 77O(g)~~ of the RMA.

Some designations are qualifying matters in accordance with Schedule 3C Clause 8(1)(a) of the RMA.

...

Chapter E26 Infrastructure

E26.1.1 Introduction

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Infrastructure is provided for on the basis of Auckland-wide provisions. Additional infrastructure provisions (zones, overlays and precincts), such as the National Grid Corridor Overlay, Auckland Airport Precinct and the Strategic Transport Corridor Zone are also provided throughout the plan and should be referred to where applicable. Designations may also provide for infrastructure.

Some designations are qualifying matters in accordance with Schedule 3C cls.8(1)(a) of the Resource Management Act 1991.

...

5. Development of Options

43. Section 32 of the RMA requires an examination of the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of the RMA. The overall objective (purpose of the proposal) of Plan Change 120 has two key objectives – it proposes:

- measures to better manage significant risks from natural hazards region-wide; and
- an amended approach to managing housing growth as a result of no longer incorporating the medium density residential standards (MDRS), but providing for intensification in a way that complies with clause 4 of Schedule 3C of the RMA by:
 - providing at least the same amount of housing capacity as would have been enabled if Plan Change 78: Intensification (PC78), as notified, was made operative, including by providing for additional

intensification along selected Frequent Transit corridors and modifying zoning in suburban areas through an amended pattern of Residential - Mixed Housing Urban and Mixed Housing Suburban zones;

- enabling the building heights and densities specified in clause 4(1)(b) and (c) of Schedule 3C of the RMA within at least the walkable catchments of Maungawhau (Mount Eden), Kingsland, Morningside, Baldwin Avenue and Mount Albert Stations;
- giving effect to Policy 3 (c) and (d) of the National Policy Statement on Urban Development 2020 (NPS-UD) through intensification in other walkable catchments and land within and adjacent to neighbourhood, town and local centres;
- enabling less development than that required by clause 4(1)(b) and (c) of Schedule 3C or Policy 3 of the NPS-UD where authorised to do so by clause 8 of schedule 3C.

Section 32 requires a range of options to be considered.

44. The two options that have been evaluated in the section 32 and Schedule 3C assessment of the STCZ qualifying matter are:

- **Option 1:** apply the requirements in Schedule 3C c.4(1)(b) or (c) of the RMA or Policy 3 of the NPS-UD and do not apply the STCZ as a qualifying matter
- **Option 2:** apply the STCZ as a qualifying matter and apply a zone which meets the requirements in Schedule 3C c.4(1)(b) or (c) of the RMA or Policy 3 of the NPS-UD.

Consequences for development capacity

45. The consequences for the provision of development capacity by accommodating the STCZ qualifying matter are considered to have a none to minor impact on the development enabled by Schedule 3C cls.4(1)(b) or (c) of the RMA or Policy 3 of the NPS-UD.

46. A draft map for PC120 has been produced by Auckland Council which identifies the STCZ, and the designations for the state highway and railway corridors as identified in Chapter K – Schedules and Designations, and are as shown in the AUP map.

47. From the draft map for PC120, there appears to be a significant amount of the STCZ located on land, and adjacent to land, which is subject to the requirements of Schedule 3C cls.4(1)(b) or (c) of the RMA and Policy 3 of the NPS-UD.

48. However, it is considered that there would be a none to minor impact on housing supply and/or development capacity arising from applying the STCZ as a qualifying matter. The STCZ qualifying matter only applies to the state highway and railway corridors and its purpose is for their operation, maintenance, upgrade, and renewals. While some interim non-transport related activities are anticipated, this is on the proviso that:

- a. buildings and other structures are of a scale and design that is compatible with surrounding land uses
- b. the non-transport related activities do not give rise to reverse sensitivity effects that would undermine transport activities in the zone
- c. the non-transport related activities do not prevent the land reverting to a transport use when required
- d. effects from the non-transport related activities on the adjoining land are managed.

49. In addition, the land zoned STCZ has been developed with the infrastructure required for either existing state highways or railway corridors. The existing infrastructure would need to be removed and a plan change would be required to amend the zone before development for activities other than for primary function of the STCZ, being the transportation of people and goods, and/or temporary non-transport related activities, could be undertaken.

Evaluation of options

50. To determine the most appropriate response for the STCZ as a qualifying matter, each of the options needs to be evaluated in the context of the objectives and of clause 4(1)(b) or (c) of Schedule 3C of the RMA and policy 3 of the NPS-UD.

Table [2] Evaluation of options

Qualifying matter	Option 1 – apply Schedule 3C and do not apply the existing qualifying matter	Option–2 – apply Schedule 3C and apply the existing qualifying matter
Costs of applying QM – housing supply / capacity	Applying Schedule 3C may enable the heights and density sought. However, the STCZ is considered to have no to minor impact on housing supply/capacity given the purpose of the STCZ is for state highway and railway corridors.	Applying the qualifying matter has a none to minor impact on a few properties located within the urban environment which are subject to the requirements of Schedule 3C. The land zoned STCZ is for the purpose of state highways and railway corridors and is owned by either KiwiRail or NZTA. Most of the state highway and railway corridors are also subject to designations.
Costs: Social	Applying the requirements of Schedule 3C without applying the qualifying matter would potentially not ensure safe, efficient, and secure infrastructure for the transportation of people and goods.	Applying the qualifying matter recognises the social benefits that infrastructure provides including enabling the enhancement of the quality of life and standard of living for public and communities, and providing for public health and safety.

Qualifying matter	Option 1 – apply Schedule 3C and do not apply the existing qualifying matter	Option–2 – apply Schedule 3C and apply the existing qualifying matter
Costs: Economic (not otherwise covered by housing capacity issues)	Applying the requirements of Schedule 3C may provide for some economic benefit to KiwiRail and NZTA as the landowners of land which would otherwise be affected by the qualifying matter. However, the designations in the AUP would still have an effect on the land subject to the designation and the economic benefits would not be realised until such time as the designations are removed by the requiring authorities.	Applying the qualifying matter recognises the economic benefits that infrastructure provides including enabling the functioning of businesses and enabling economic growth.
Costs: Environmental	Applying the requirements of Schedule 3C without the qualifying matter may result in potential environmental effects associated with development of the land and potential increase in reverse sensitivity issues.	Applying the qualifying matter recognises the benefits of infrastructure and the requirement for the development of infrastructure to manage the effects on the environment.
Benefits of applying the QM - social	Applying the requirements of Schedule 3C may result in some social benefit to the landowners. However, the state highway and railway corridors would still be protected where these are also subject to designations in the AUP. This means that the social benefits may not be realised until such time as the designations are removed by the requiring authorities.	Applying the qualifying matter recognises the benefits of infrastructure and its contribution to a well-functioning urban environment that provides for the health and safety of people and communities.
Benefits - economic	Applying the requirements of Schedule 3C may result in some economic benefit to KiwiRail and NZTA as the landowners. However, the state highway and railway corridors would	Applying the existing qualifying matter recognises the economic benefits of infrastructure, including the safe, efficient and secure infrastructure for the transportation of people and goods. It also recognises the economic benefits that

Qualifying matter	Option 1 – apply Schedule 3C and do not apply the existing qualifying matter	Option–2 – apply Schedule 3C and apply the existing qualifying matter
	still be protected where these are subject to designations in the AUP. This means that the economic benefits may not be able to be realised until such time as the designations are removed by the requiring authorities.	infrastructure provides including enabling the functioning of businesses and enabling economic growth.
Benefits – environmental	There is low benefit in applying Schedule 3C and not applying the qualifying matter. There is a baseline of effects as the majority of the state highway and railway corridors are protected through the designations in Chapter K of the AUP. The designations in the AUP would continue to apply until such time as the designations are removed by the requiring authorities.	Applying the existing qualifying matter recognises the benefits of infrastructure and the requirement to manage the effects of both adjacent activities on infrastructure and the reverse sensitivity effects.

Analysis

51. Option 2 is the preferred option. There are low costs and some benefits associated with Option 2. While the STCZ provides for some non-transport related activities, this is on the proviso that these activities do not undermine the future use of the corridor for transport purposes.
52. Identifying the STCZ as a qualifying matter ensures the safe and efficient operation of critical infrastructure. It also contributes to a well-functioning urban environment that enables people and communities to provide for their social, economic, and cultural wellbeing.

Risks or acting or not acting

53. Section 32(2)(c) of the RMA requires this evaluation to assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.
54. The information about the STCZ as a qualifying matter, including information about the critical nature of this infrastructure, its location and the extent of the state highway and railway corridors and their associated designations, is already provided in the AUP. It is

considered that this information is certain and sufficient and has been through a thorough statutory process to be included in the AUP.

55. In addition, the approach taken for the STCZ, and the general approach to designations as a qualifying matter, were tested in relation to the City Centre hearing topics. The IHP's recommendation, at paragraphs [350] and [375] respectively, endorsed and adopted the Council's s32 evaluation and recommended the retention of the STCZ and designations as a qualifying matter in the City Centre, City Centre Precincts and relevant Qualifying Matters hearing topics².

Effectiveness and efficiency

56. Option 2 is an efficient and effective method which achieves the lowest cost in regard to decreasing the potential risk to people's health and safety and the highest benefit in protecting the STCZ and associated operations from reverse sensitivity effects.

Description of how the qualifying matter is to be implemented

57. The STCZ qualifying matter will be implemented through the mark-up of Chapter H22 STCZ to identify that the STCZ is a qualifying matter in accordance with Schedule 3C cls.8(1)(a) of the RMA. Chapter K Designations and Chapter E26 Infrastructure in the AUP are also proposed to be marked up to identify that the designations are also a qualifying matter in accordance with Schedule 3C cls.8(1)(a) of the RMA. These mark-ups are shown above in paragraphs 39 to 40 of this report.
58. The STCZ will continue to be identified in the Operative in part zone layer in the AUP. Designations related to the state highway and railway corridors will also be identified spatially in the Unitary Plan – Management Layers – Designations (as currently shown in the AUP).

Overall conclusion

59. The identification of the STCZ as a qualifying matter contributes to well-functioning urban environment by ensuring the safe and efficient operation of critical infrastructure. It also enables people and communities to provide for their social, economic, and cultural well-being, now and in the future.
60. There will be a low to minor effect on the properties where the qualifying matter would apply in regard to housing supply and development capacity. However, the designations already have an effect on the parts of the property subject to the designation until such time that the requiring authority requests for the designation to be removed either in part or entirely from the property. At a local or regional scale, the effect on housing supply and development capacity otherwise enabled would be none to minor as a result of this existing qualifying matter.

² <https://www.aucklandcouncil.govt.nz/UnitaryPlanDocuments/02-pc78-cc-ihp-recommendation-report.pdf>

Information Used

1. The following reports, documents, evidence, and plan versions were used to help the development of the plan change and assess the STCZ as an existing qualifying matter.

Name of document, report, plan	How did it inform the development of the plan change
Auckland Unitary Plan (Operative in Part 2016	Chapter H22 Strategic Transport Corridor Zone applicability to state highway and railway corridors. Also the management of non-transport related development and requirements for setbacks with residential zones. The AUP maps identify the corridors subject to the STCZ.
AUP Independent Hearing Panel Evidence and recommendations for Topics 043 and 044 Transport.	Confirmed the inclusion of the STCZ as an appropriate method to provide for development of, and activities in, the state highway and railway corridors.
PC78 Recommendation Report Hearings Topics – City Centre, City Centre Precincts and relevant Qualifying Matters – Topic 009M Qualifying Matters A-I Strategic Transport Corridors and Topic 009Q Designations	Independent Hearing Panel's recommendation supported the approach taken for the Strategic Transport Corridor Qualifying Matter and the Designations Qualifying Matter as it related to the City Centre. The same approach has been applied in the PC78 Metropolitan Centres and Outstanding Matters Hearing topic and is also relevant to PC120.

Consultation summary

1. The First Schedule to the RMA sets out the relevant consultation requirements.

Limited consultation on PC 120 has been undertaken, and this is detailed in the Auckland Council September 2025 reports entitled:

CONSULTATION AND ENGAGEMENT ON A PROPOSED PLAN CHANGE
POTENTIALLY REPLACING PROPOSED PLAN CHANGE 78 –
INTENSIFICATION SUMMARY REPORT

MĀORI ENGAGEMENT CONSULTATION SUMMARY REPORT